

REMARKS

Careful consideration has been given to the Examiner's most recent Final Action mailed August 29, 2006 (prior to the filing of the Notice of Appeal) in connection with the above-referenced patent application. The Examiner's recognition of allowable subject matter in claims 6, 14 and 26 is appreciated. Nonetheless, reexamination and reconsideration of the application is hereby respectfully requested.

The Previous Office Action

Claims 1-3, 8-12, 15, 16, 18, 19, 22-24, 28, 31 and 32 were rejected under 35 USC §103 as being unpatentable over U.S. Patent No. 5,920,808 to Jones et al. in view of U.S. Patent No. 6,493,543 to Shin et al. and further in view of U.S. Patent No. 5,963,549 to Perkins et al.

Claims 4, 5, 7, 13, 20, 25 and 33 were rejected under 35 USC §103 as being unpatentable over the Jones et al. patent in view of the Shin et al. patent, further in view of the Perkins et al. patent and further in view of U.S. Patent No. 6,288,610 to Miyashita.

Claims 17, 21, 27, 30 and 34 were rejected under 35 USC §103 as being unpatentable over the Jones et al. patent in view of the Shin et al. patent.

Claims 6, 14 and 26 were objected to as being dependent upon or rejected based claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

The Claims are Patentably Distinct Over the Cited Patents

Claims 1-3, 8-12, 15, 16, 18, 19, 22-24, 28, 31 and 32 stand rejected as being obvious over Jones in view of Shin and Perkins.

However, claims 2, 7, 8 and 16-20 have been canceled. Independent claims

1 and 9 have been amended. Therefore, reconsideration of claims 1 and 9, and all claims dependent thereon, is respectfully requested.

Claims 17, 21, 27, 30 and 34 also stand rejected under 35 U.S.C. §103 as being obvious in view of the Jones and Shin combination.

Notably, claim 17 has been canceled. Moreover, as previously argued, independent claims 21 and 30 recite a receiver that is tuned to at least one specific frequency to measure RF power over a narrow bandwidth. This is clearly distinguishable over the citations of the Examiner. In this regard, Jones does not disclose a system that includes a receiver operative to obtain samples of signals, as disclosed and claimed in the present embodiment. The system of Jones' patent utilizes a waveform comparison in that it retrieves the entire waveform from the output of the amplifier and compares that waveform to the waveform that is input to the amplifier. The present embodiment has no need to perform a waveform comparison and/or to analyze the input waveform.

The Examiner relies on Shin for teaching of a receiver being tuned to at least on specific frequency offset from a carrier frequency. However, as previously argued, Shin is not fairly combinable with the previously noted patents that relate to waveform comparison. Presuming that Shin relates to spectrum analysis, this technology is an entirely different approach to predistortion techniques than waveform analysis. This, of course, has been previously argued in connection with the differences between the present invention and the cited references. Shin is further distinctive and not combinable because the system of Shin does not specify that predistortion is being applied to a baseband signal, as claimed. Indeed, the circuit shown in Figures 5, 7, 12 and 13 of Shin imply that predistortion techniques are being applied to an RF signal, as opposed to a baseband signal. The Examiner

does not disagree that Shin does not teach application of predistortion to a baseband signal. The Examiner argues that Jones relates to a baseband signal. However, as noted above, these teachings are not combinable. Because each of the independent claims 17, 21 and 30 recite the RF sampling features as above, these claims, and all claims dependent thereon (claim 34), are not rendered obvious by the suggested combination.

The Examiner has asserted in response that Shin, in effect, has a predistorting that receives the exact signal to be transmitted and a signal that was transmitted to ensure the predistortion correctly compensates for the distortion. However, such a characterization suggests a waveform analysis -- which is not the present application. So, it is not understood how this response supports the rejection. Clarification is requested.

In view of the foregoing, claims 21 and 30 (and all claims dependent thereon) are submitted to be allowable.

With respect to the Examiner's rejection of claim 27, substantially the same arguments apply. That is, if Shin is perceived as teaching spectrum analysis, it is not combinable with Jones to render the claims obvious. The Examiner has not sufficiently addressed this lack of combinability. Even if these teachings were somehow combined, the resultant combination would be a waveform analysis using some sort of feedback control. No waveform analysis teaching should render the claims herein obvious.

In addition, claims 27 and 28 are in means-plus-function format. Notably, it is requested that the disclosure, as an example, at pages 8-10, be considered in the analysis. This disclosure relates to the modified simplex routine that is used to provide adaptive feedback.

CONCLUSION

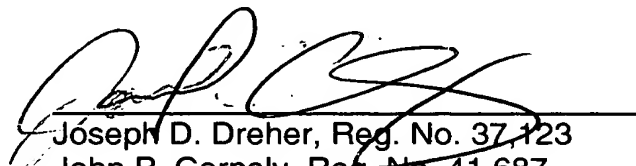
It is respectfully submitted that the subject application is now in condition for allowance. Favorable action is respectfully requested.

Respectfully submitted,

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CERTIFICATE OF MAILING

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